IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 192 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.P.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

AJITSINH M WAGHELA

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Revision Application No. 192 of 2001

MR RAMNANDAN SINGH for Petitioner No. 1

Mr B D Desai, APP for Respondent No. 1

MR MUKESH H RATHOD for Respondent No. 2

CORAM : MR.JUSTICE D.P.BUCH

Date of decision: 06/02/2002

ORAL JUDGEMENT

This is a criminal revision application filed under section 397 read with section 401 of the Code of

Criminal Procedure, 1973 (for short, 'the Code') challenging the order of the Sessions Court for proceeding ahead with the criminal case against the present petitioner.

Rule was issued. At the same time, at the beginning of the hearing, learned Advocate for the petitioner Mr Ramnandan Singh, has stated that he does not press the matter on merit. But he has stated that the petitioner will remain present before the learned Judicial Magistrate First Class at Anand in criminal case no.2357 of 2001. However, he has made a request that the order of issuance of non-bailable warrant against the petitioner may be cancelled. The petitioner may be at liberty to make appropriate application for his discharge at appropriate stage. In above view of the matter, this revision application is ordered to be disposed of as withdrawn and rule is discharged. The petitioner shall remain present at 11. a.m. on 21.2.2002 before the above court without fail and on that condition, the order of issuance of non-bailable warrant against the petitioner shall stand cancelled. The petitioner will be at liberty to make appropriate application for his discharge before appropriate court and if such an application is submitted by the petitioner, it shall be disposed of by the Court in accordance with law. D.S. permitted.

5.2.2002 [D P Buch, J.]
msp